

Article - Criminal Law

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§12-301.1.

(a) In this subtitle, “Commission” means the State Lottery and Gaming Control Commission.

(b) (1) Except as provided in paragraphs (2) and (3) of this subsection and consistent with the provisions of this title and Title 13 of this article, the Commission shall certify and regulate the operation, ownership, and manufacture of an electronic gaming device authorized under this title.

(2) This section does not apply to:

(i) the ownership or operation of slot machines that are subject to regulation by the Comptroller under § 12-304 of this title; and

(ii) paper tip jar gaming where authorized.

(3) (i) This paragraph applies only in Baltimore City and Baltimore County.

(ii) If a local law enforcement agency refuses to enforce a provision regarding the legal operation of amusement games, the Commission shall refer the matter to the appropriate office of the State’s Attorney.

(c) The Commission shall adopt regulations that:

(1) define lawful and unlawful electronic and mechanical equipment used in connection with gaming devices that are consistent with this title;

(2) approve and license electronic gaming devices authorized under State law;

(3) approve and license owners, operators, and manufacturers of electronic gaming devices authorized under State law;

(4) establish procedures for the license application and renewal processes required under this section; and

(5) establish license fees, effective on July 1, 2016, that are sufficient to cover the direct and indirect costs of licensure required under this section.

(d) (1) The Commission may determine:

(i) that a county's licensing and regulatory process for electronic gaming devices is equivalent to the State licensing and regulatory process required under this section; and

(ii) that a county license for owning, operating, or manufacturing an electronic gaming device in that county is equivalent to a State license.

(2) If the Commission does not make a determination under paragraph (1) of this subsection, the regulations and licensing requirements of the Commission shall supersede:

(i) the application of any county fees or regulations and licensing requirements for electronic gaming devices under this subsection; or

(ii) a requirement for a county license for owning, operating, or manufacturing an electronic gaming device under this subsection.

(e) An electronic gaming device that is not licensed or otherwise operated in compliance with the provisions of this section as of January 1, 2013, is an illegal gaming device that may not legally operate in the State.

(f) (1) There is a Maryland Amusement Game Advisory Committee.

(2) The Advisory Committee shall advise the Commission on the conduct and technical aspects of the amusement game industry, including recommendations for the legality of skills-based amusement games.

(3) The Advisory Committee consists of:

(i) the following members appointed by the Governor:

1. two members selected from a list of five names submitted by the Maryland Amusement and Music Operators Association;

2. one member who is a local government official selected from a list of names submitted by the Maryland Association of Counties and the Maryland Municipal League;

3. one member who is a local law enforcement officer;
and

4. one citizen representative; and

(ii) the Director of the Commission, or the Director's designee, who shall serve as a nonvoting member of the Advisory Committee.

(4) The Governor shall designate the chair of the Advisory Committee.

(5) The Commission shall provide staff for the Advisory Committee.

(6) A member of the Advisory Committee:

(i) may not receive compensation as a member of the Advisory Committee; but

(ii) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

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